

# FEDERAL REGISTER

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# Presidential Documents

## Title 3—THE PRESIDENT

### Executive Order 10990

#### REESTABLISHING THE FEDERAL SAFETY COUNCIL

WHEREAS section 33(c) of the Federal Employees' Compensation Act, as amended (5 U.S.C. 784), declared it to be the purpose of the Congress to reduce the number of accidents and injuries among Government officers and employees, encourage safe practices, eliminate work hazards and health risks, and reduce compensable injuries; and

WHEREAS section 35 of that Act, as amended (5 U.S.C. 785), further disclosed the interest of the Congress in the promotion of safety in Federal agencies and establishments; and

WHEREAS the Federal Employees' Compensation Act, as amended and as modified by Reorganization Plan No. 19 of 1950 (hereinafter referred to as the Act), directs the heads of Government departments and agencies to develop, support, and foster organized safety promotion, and to keep such records of injuries and accidents to persons covered by the Act, and to make such statistical and other reports upon such forms as the Secretary of Labor may prescribe; and

WHEREAS the preponderance of accidents involving employees in the Federal service occur in field operations, the heads of executive departments and agencies, and through them, their supervisory staffs, including regional and field staffs, must exert leadership in the establishment of a sound accident prevention program at both the national and regional level; and

WHEREAS representatives of Federal employees should share a similar concern for the establishment of such programs; and

WHEREAS the President is authorized by the Act to establish by Executive order a safety council composed of representatives of Government departments and agencies to serve as an advisory body to the Secretary of Labor in furtherance of the safety program carried out by the Secretary pursuant to section 33 of the Act and to undertake such other measures as he deems proper to prevent injuries and accidents to persons covered by the Act:

NOW, THEREFORE, by virtue of the authority vested in me by section 33(c) of the Act and as President of the United States, it is hereby ordered as follows:

SECTION 1. *Establishment of Council.* There is hereby established in the Department of Labor the Federal Safety Council, hereinafter referred to as the Council. The Council shall be composed of a Chairman, to be designated by the Secretary of Labor, and one qualified representative of each of the several executive departments and agencies and of the municipal government of the District of Columbia (hereinafter referred to as members). The heads of the departments and agencies and the Board of Commissioners of the District of Columbia shall designate the members representing them, respectively, and may also designate suitable alternate members. The Secretary of Labor may, as he deems appropriate, appoint representatives of national or international unions, having Federal employees as members, to serve as consultants to the various committees established by the Council. The Chairman, members, alternate members, and consultants shall serve, as such, without compensation from the United States.

SEC. 2. *Purpose and functions of Council.* The Council shall serve in an advisory capacity to the Secretary of Labor in matters relating to the safety of civilian employees of the Federal government and the municipal government of the District of Columbia and the furtherance

of the safety program carried out by the Secretary pursuant to section 33 of the Act. It shall advise the Secretary of Labor with respect to the development and maintenance of adequate and effective safety organizations and programs in the several departments and agencies of the Federal government and the municipal government of the District of Columbia and with respect to criteria, standards, and procedures designed to eliminate work hazards and health risks and to prevent injuries and accidents in Federal employment.

SEC. 3. *Council affiliates, committees, and officers.* The Council shall include as an integral part of its organizational structure and operations such affiliates, hereafter established by the Council or now existing, in such manner and to such extent as it deems necessary properly and efficiently to perform its functions. The Council shall establish such committees, and may choose such officers (other than its chairman), as it finds necessary for carrying out its functions.

SEC. 4. *Regulations.* The Secretary of Labor shall prescribe appropriate regulations governing the activities and functions of the Council.

SEC. 5. *Administrative and budgetary arrangements.* The Secretary of Labor shall make available necessary office space and furnish the Council necessary equipment, supplies, and staff services.

SEC. 6. *Continuity.* The Federal Safety Council established by this order shall be deemed to constitute a continuation of the Federal Safety Council heretofore existing under the provisions of Executive Order No. 10194 of December 19, 1950.

SEC. 7. *Revocation.* Executive Order No. 10194 of December 19, 1950, is hereby superseded.

JOHN F. KENNEDY

THE WHITE HOUSE,  
February 2, 1962.

[F.R. Doc. 62-1253; Filed, Feb. 5, 1962; 9:38 a.m.]

# Rules and Regulations

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

##### Department of State

Effective upon publication in the FEDERAL REGISTER, subparagraph (7) is added to paragraph (a) of § 6.102 as set out below.

##### § 6.102 Department of State.

(a) *Office of the Secretary.* \* \* \*

(7) Not to exceed January 1, 1964, not more than seven protocol officers, grades GS-5 through GS-13, in the Office of the Chief of Protocol.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] MARY V. WENZEL,  
Executive Assistant to  
the Commissioners.

[F.R. Doc. 62-1200; Filed, Feb. 5, 1962;  
8:47 a.m.]

## Title 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—Agricultural Research Service, Department of Agriculture

#### SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

#### PART 74—SCABIES IN SHEEP

##### Interstate Movement

On December 8, 1961, there was published in the FEDERAL REGISTER (26 F.R. 11804), a notice with respect to a proposal to amend § 74.3(a), Part 74, Subchapter C, Chapter I, Title 9, Code of Federal Regulations. After due consideration of all relevant material and pursuant to the provisions of sections 1 through 4 of the Act of March 3, 1905, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and sections 4 through 7 of the Act of May 29, 1884, as amended (21 U.S.C. 111-113, 115, 117, 120, 121, 123-126), § 74.3(a) of said Part 74 is hereby amended to read as follows:

##### § 74.3 Designation of eradication areas.

(a) Notice is hereby given that sheep in the following States, Territories, and parts thereof as specified, are being handled systematically to eradicate scabies in sheep and such States, Territories, and parts thereof, are hereby designated as eradication areas:

(1) Hawaii, Illinois, New Jersey, New York, Pennsylvania, Tennessee, and Wisconsin;

(2) That portion of South Dakota lying east of the Missouri River;

(3) The following counties in Kansas: Barber, Barton, Cloud, Ellsworth, Harper, Harvey, Kingman, Lincoln, McPherson, Mitchell, Osborne, Ottawa, Pratt, Reno, Republic, Rice, Russell, Sedgwick, Smith, Stafford, and Sumner Counties;

(4) All Counties in Nebraska except Banner, Box Butte, Cheyenne, Dawes, Deuel, Garden, Kimball, Morrill, Sheridan, Sioux, and Scottsbluff;

(5) All Counties in New Mexico except that portion of McKinley and San Juan Counties occupied by the Navajo Indian Reservation;

(6) All of the State of North Dakota except that area lying west of the Missouri River and State Highway No. 8, beginning at a point where said river intersects the South Dakota boundary line and continuing along said river to a point on the Garrison Dam Reservoir directly south of the intersection of State Highways Nos. 23 and 8; thence, directly north to the intersection of State Highways Nos. 23 and 8; thence, north along State Highway No. 8 to the North Dakota-Canadian boundary; and

(7) The following counties in Michigan: Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, and Schoolcraft Counties.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, as amended, 1265, as amended; 21 U.S.C. 111-113, 115, 117, 120, 121, 123-126; 19 F.R. 74, as amended)

*Effective date.* The foregoing amendment shall become effective 30 days after publication in the FEDERAL REGISTER.

The amendment adds the State of Pennsylvania to the list of eradication areas since the cooperative sheep scabies eradication program is now being conducted in such State. The entire State of Pennsylvania is presently included in the infected areas as sheep scabies is known to exist in such State. Hereafter, the restrictions pertaining to the interstate movement of sheep from or into infected and eradication areas as contained in 9 CFR Part 74, as amended, will apply to this State.

Done at Washington, D.C., this 31st day of January 1962.

M. R. CLARKSON,  
Acting Administrator,  
Agricultural Research Service.

[F.R. Doc. 62-1192; Filed, Feb. 5, 1962;  
8:46 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter II—Civil Aeronautics Board

#### SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. No. ER-350]

#### PART 289—EXEMPTION OF AIR CARRIERS FROM AGREEMENT FILING REQUIREMENTS OF SECTION 412 OF THE FEDERAL AVIATION ACT OF 1958

##### Expansion of Scope

FEBRUARY 1, 1962.

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 1st day of February 1962.

The Board, by publication in 26 F.R. 10180 and by circulation of notice of proposed rule making, EDR-37, proposed amendments to Part 289 of the Economic Regulations, 14 CFR Part 289, which would expand the scope of the exemption contained therein to include certain additional types of agreements and make the exemption applicable to certain agreements in which supplemental air carriers and indirect air carriers are parties.

No comments were received in opposition to the proposal. One comment was received which requested that the exemption in Part 289 be expanded to include ground service agreements involving supplemental air carriers. However, the Board on the basis of the information and data presently before it is not prepared to find that ground service agreements involving supplemental air carriers are of such a routine nature as to qualify for the exemption contained in Part 289.

The Board has made only one minor editorial change in the title of the part from that proposed in the notice.

The Board finds that enforcement of section 412(a) of the Act insofar as it would require air carriers to file the agreements described in § 289.3, as amended herein, would be an undue burden on such air carriers by reason of the limited extent of, or unusual circumstances affecting, their operations and is not in the public interest.

Interested persons have been afforded an opportunity to participate in the making of these amendments, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, the Board hereby amends Part 289 of its Economic Regulations (14 CFR Part 289), effective March 8, 1962, as follows:

##### § 289.1 [Amendment]

1. Amend the definition of certificated route air carrier in § 289.1(a) by insert-

ing after "section 401" the additional designations "(d) (1) or (2)".

2. By adding to § 289.1 the following definitions:

(b) "Indirect air carrier" means any citizen of the United States<sup>1</sup> who engages indirectly in interstate, overseas or foreign air transportation<sup>2</sup> of property only, and who: (1) Does not engage in the operation of aircraft in air transportation, and (2) does not engage in air transportation pursuant to any Board order authorizing air express services under a contract with a direct air carrier.

(c) "Supplemental air carrier" means any air carrier which holds authority from the Board to engage in supplemental air transportation.

3. By amending § 289.2 to read:

§ 289.2 Exemption of air carriers.

Air carriers are hereby exempted from the filing requirements of section 412(a) of the Act with respect to any type of agreement listed in § 289.3 of this part, and amendments thereto, and from filing any subsequent amendment to an agreement which was filed prior to the effective date of this part where such filed agreement and the amendment qualify for an exemption under this part; except that such exemption does not apply to an agreement or an amendment to an agreement that:

(a) Is between "affiliated" carriers within the meaning of that term as it is used in Part 261 of this subchapter; or

(b) Amends an existing agreement which itself is ineligible for exemption under this part; or

(c) Is a resolution or similar action of the members of an association of air carriers; or

(d) Is violative of the "anti-trust laws" as that term is defined in section 1 of the Clayton Act, 15 U.S.C. 12.

§ 289.4 [Redesignation]

4. By redesignating present § 289.3 as § 289.4.

5. By adding a new § 289.3 to read:

§ 289.3 Types of agreements which need not be filed.

(a) *Ground services and facilities.* Agreements between certificated route air carriers, or between any such air carrier(s) and any foreign air carrier(s), for the furnishing of ground facilities, ground equipment, ground service, or building or ground space: *Provided*, That the fees or charges therefor are known or anticipated not to exceed \$50,000 during any twelve-month period: *And, provided further*, That in case the aggregate annual charge under an agreement believed to fall within this exemption at the time of execution thereof exceeds the dollar limitation in any twelve-month period, the carrier shall (1) report promptly the total amount paid, and (2) file the agreement with the Board under section 412(a) of the Act upon request by the Director of the Board's Bureau of Economic Regulation.

<sup>1</sup> As defined in section 101(13) of the Act.

<sup>2</sup> As defined in section 101(21) of the Act.

(b) *Free or reduced-rate transportation.* Agreements between certificated route air carriers, or between supplemental air carriers, or between certificated route carriers and supplemental carriers, or between any such air carriers and foreign air carriers for the issuance or interchange of free or reduced-rate transportation: *Provided*, That such agreements do not provide for the issuance or interchange of passes for free or reduced-rate transportation other than as described in documents filed pursuant to § 223.6 of Part 223 of this subchapter.

(c) *Pick-up and delivery.* Agreements between certificated route air carriers or indirect air carriers on the one hand and surface motor carriers on the other hand for pick-up and delivery of property: *Provided*, That all of the points named in the agreement and the rates and charges to the public for such service are set forth in tariffs filed by the air carriers with the Board pursuant to Part 221 of this subchapter.

6. By amending the title of the Part to read as set forth above.

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply secs. 101(3), 412; and 416 (b) of the Act, 72 Stat. 737, 770, 771; 49 U.S.C. 1301, 1382, and 1386)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 62-1202; Filed, Feb. 5, 1962;  
8:47 a.m.]

#### SUBCHAPTER B—PROCEDURAL REGULATIONS

[Reg. No. PR-59; Amdt. 5]

### PART 302—RULES OF PRACTICE IN 'ECONOMIC PROCEEDINGS

#### Delegation of Function to Hearing Examiners

##### Correction

In F.R. Doc. 62-975, appearing at page 853 of the issue for Tuesday, January 30, 1962, the headnote of § 302.27(b) (2) (i) should read as follows: "*Cases subject to section 801 of the Act.*"

### Chapter III—Federal Aviation Agency

#### SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 61-WA-196]

### PART 600—DESIGNATION OF FEDERAL AIRWAYS

#### Alteration

The purpose of this amendment is to alter the segment of VOR Federal airway No. 1695 between Poughkeepsie, N.Y., and Concord, N.H.

This segment of Victor 1695 is designated via the intersection of the Poughkeepsie VOR 043° and the Concord VOR 231° True radials. Adequate navigational guidance between these facilities is lacking on this segment of Victor 1695. Therefore, action is taken herein to redesignate the segment of Victor 1695

from the Poughkeepsie VOR via the Keene, N.H., VOR to the Concord VOR. This action will retain substantially the present alignment for Victor 1695 and would provide precise navigational guidance on this airway segment.

Since this amendment is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), the following action is taken:

In the text of § 600.1695 (26 F.R. 1091, 7328), "From the Poughkeepsie, N.Y., VOR via the INT of the Poughkeepsie VOR 043° and the Concord, N.H., VOR 231° radials; Concord VOR;" is deleted and "From the Poughkeepsie, N.Y., VOR via the Keene, N.H., VOR; Concord, N.H., VOR;" is substituted therefor.

This amendment shall become effective 0001 e.s.t., April 5, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 31, 1962.

D. D. THOMAS,  
Director, Air Traffic Service.

[F.R. Doc. 62-1178; Filed, Feb. 5, 1962;  
8:45 a.m.]

[Airspace Docket No. 61-WA-227]

### PART 600—DESIGNATION OF FEDERAL AIRWAYS

#### Revocation of Segment

The purpose of this amendment to § 600.6861 of the regulations of the Administrator is to revoke a segment of VOR Federal airway No. 861.

VOR Federal airway No. 861 is a preferred route extending from Branchville, N.J., to Boston, Mass. Revised air traffic control procedures in the New York terminal area have obviated the requirement for the segment of this airway between Branchville and Poughkeepsie, N.Y. Accordingly, action is taken herein to revoke this airway segment.

Since these amendments impose no additional burden on any person, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) the following actions are taken:

In § 600.6861 (26 F.R. 8626) the following changes are made:

1. In the caption "New York, N.Y. (Newark), Metropolitan Area" is deleted and "Poughkeepsie, N.Y.," is substituted therefor.

2. In the text "From the INT of the Sparta, N.J., VOR 300° and the Tanners-

ville, Penn., VORTAC 055° radials; via the Poughkeepsie, N.Y., VOR;" is deleted and "From the Poughkeepsie, N.Y., VOR via the" is substituted therefor.

These amendments shall become effective 0001 e.s.t., April 5, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 31, 1962.

D. D. THOMAS,  
Director, Air Traffic Service.

[F.R. Doc. 62-1179; Filed, Feb. 5, 1962;  
8:45 a.m.]

[Airspace Docket No. 61-LA-2]

## PART 600—DESIGNATION OF FEDERAL AIRWAYS

### PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

#### Alteration of Federal Airway and Associated Control Areas

On July 7, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 6106), stating that the Federal Aviation Agency proposed to designate a north alternate to VOR Federal airway No. 120 between Great Falls, Mont., and Lewistown, Mont. It was further stated that the control areas associated with this airway segment would extend upward from 700 feet above the surface to the base of the continental control area, and that separate actions will be initiated on an area basis to implement Amendment 60-21 to Part 60 of the Civil Air Regulations.

The Department of the Air Force offered no objection to the proposed amendment. No other comments were received.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, the following actions are taken:

In § 600.6120 (14 CFR 600.6120) the text is amended to read:

§ 600.6120 VOR Federal airway No. 120 (Mullan Pass, Idaho, to Mason City, Iowa).

From the Mullan Pass, Idaho, VOR via the Great Falls, Mont., VOR; Lewistown, Mont., VOR, including a N alternate via the INT of the Great Falls VOR 074° and the Lewistown VOR 308° radials; Miles City, Mont., VORTAC; Dupree, S. Dak., VORTAC; Pierre, S. Dak., VOR; Sioux Falls, S. Dak., VORTAC; to the Mason City, Iowa, VORTAC.

In § 601.6120 (14 CFR 601.6120) the text is amended to read:

§ 601.6120 VOR Federal airway No. 120 control areas (Mullan Pass, Idaho, to Mason City, Iowa).

All of VOR Federal airway No. 120 including a N alternate.

These amendments shall become effective 0001 e.s.t., April 5, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 31, 1962.

D. D. THOMAS,  
Director, Air Traffic Service.

[F.R. Doc. 62-1176; Filed, Feb. 5, 1962;  
8:45 a.m.]

[Airspace Docket No. 61-WA-16]

## PART 600—DESIGNATION OF FEDERAL AIRWAYS

### PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

#### Alteration of Federal Airway and Associated Control Areas

On March 10, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 2093), stating that the Federal Aviation Agency proposed to designate a low altitude VOR Federal airway from Princeton, Maine, to Millinocket, Maine, and to designate the control areas associated with this airway segment to extend upward from 1,200 feet above the surface. The Air Transport Association of America concurred with the proposed amendment. The Air Line Pilots Association and the Department of the Air Force offered no objections. The Department of the Navy suggested that the floor of the control areas associated with the proposed airway segment be established at 1,500 feet above terrain in lieu of 1,200 feet as proposed in the Notice.

On September 30, 1961, a supplemental notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 9242), stating that the Federal Aviation Agency determined that application of Amendment 60-21 to Part 60 of the Civil Air Regulations to the control areas associated with this airway segment should be deferred until such time as all control areas in the vicinity of Princeton and Millinocket can be altered by applying Amendment 60-21. Accordingly, it was proposed to designate the control areas associated with this airway segment to extend upward from 700 feet above the surface to the base of the continental control area.

The Director of Aeronautics, Massachusetts Aeronautics Commission, in commenting on the Supplemental Notice requested that Amendment 60-21 be applied to the airway segment as proposed in the notice. No other comments were received regarding the supplemental notice.

The proposed airway segment would extend approximately 43 miles between Millinocket and Princeton. Only 13 miles of this airway segment would be outside of presently designated con-

trolled airspace, the floor of which is 700 feet above the surface. If Amendment 60-21 were applied to the control areas associated with this airway segment, it would result in approximately 30 miles of dual designated controlled airspace with floors of both 700 feet and 1,200 feet above the surface. This, in turn, would only tend to confuse the pilot attempting to operate in this area.

This airway segment will be an extension of Victor 314 which is presently designated between Princeton and St. John, New Brunswick, Canada.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated herein and in the notice and supplemental notice, the following actions are taken:

1. Section 600.6314 (26 F.R. 2679) is amended to read:

§ 600.6314 VOR Federal airway No. 314 (Millinocket, Maine, to St. John, New Brunswick, Canada).

From the Millinocket, Maine, VOR via the Princeton, Maine, VOR; to the St. John, New Brunswick, Canada, VOR, excluding the portion which lies outside the United States.

2. Section 601.6314 (26 F.R. 2679) is amended to read:

§ 601.6314 VOR Federal airway No. 314 control areas (Millinocket, Maine, to St. John, New Brunswick, Canada).

All of VOR Federal airway No. 314.

These amendments shall become effective 0001 e.s.t., April 5, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 31, 1962.

D. D. THOMAS,  
Director, Air Traffic Service.

[F.R. Doc. 62-1177; Filed, Feb. 5, 1962;  
8:45 a.m.]

## Title 24—HOUSING AND HOUSING CREDIT

### Chapter II—Federal Housing Administration, Housing and Home Finance Agency

#### MISCELLANEOUS AMENDMENTS TO CHAPTER

The following miscellaneous amendments have been made to this chapter:

#### SUBCHAPTER C—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

### PART 203—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

#### Subpart A—Eligibility Requirements

In § 203.4 paragraph (b) is amended to read as follows:



**§ 203.4 Approval of other institutions.**

(b) *Special requirements applicable to supervised institutions.* (1) To obtain approval a mortgagee shall meet the following requirements:

- (i) The mortgagee shall be subject to the inspection and supervision of a governmental agency which is required by law to make periodic examinations of the mortgagee's books and accounts; and
- (ii) The mortgagee shall submit satisfactory evidence that it has sound capital funds of a value not less than \$100,000 or, if a mutual company or association without capital funds, that it has a net worth of not less than \$100,000.

(2) Mortgagees approved prior to January 31, 1962, shall be required, within a period of time to be prescribed by the Commissioner, to increase their capital funds or net worth to not less than \$100,000.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 203, 52 Stat. 10, as amended; 12 U.S.C. 1709)

**SUBCHAPTER F—URBAN RENEWAL HOUSING INSURANCE AND INSURED IMPROVEMENT LOANS**

**PART 220—URBAN RENEWAL MORTGAGE INSURANCE AND INSURED IMPROVEMENT LOANS**

In Part 220 in the Table of Contents a new § 220.616 is added, former § 220.616 is redesignated as § 220.618 and § 220.620 through 220.625 and § 220.631 are revoked as follows:

- Sec.  
 220.616 Cost certification requirements—loans \$40,000 or less.  
 220.618 Cost certification requirements—loans over \$40,000.  
 220.620 through 220.625 [Revoked].  
 220.631 [Revoked].

In § 220.125 new paragraphs (d), (e), and (f) are added as follows:

**§ 220.125 Cost certification requirements.**

(d) Any agreement, undertaking statement or certification required in connection with cost certification shall specifically state that it has been made, presented and delivered for the purpose of influencing an official action of the Commissioner and may be relied upon as a true statement of the facts contained therein.

(e) Upon the Commissioner's approval of the borrower's certification, such certification shall be final and incontestable except for fraud or material misrepresentation on the part of the borrower.

(f) The borrower shall keep and maintain adequate records of all costs of any construction improvements or other cost items not representing work under the general contract and shall require the builder to keep similar records and, upon request by the Commissioner, shall make available for examination such records, including any collateral agreements.

In § 220.612 a new paragraph (c) is added as follows:

**§ 220.612 Assurance of completion.**

(c) An irrevocable letter of credit acceptable to the Commissioner and the mortgagee which is issued by an institution satisfactory to them in an amount at least equal to 10 percent of the estimated cost of construction of the project improvements.

In Part 220 a new § 220.616 is added as follows:

**§ 220.616 Cost certification requirements—loans \$40,000 or less.**

When the principal amount of the loan is \$40,000 or less the following provisions shall apply:

(a) *Certification agreement.* The lender shall submit with the application for commitment an agreement on a form prescribed by the Commissioner, executed by the borrower and the lender, in which:

(1) The borrower agrees to execute, upon completion of the improvements, a certificate of the actual cost of the improvements.

(2) The borrower and the lender agree that if the actual cost of the improvements is less than the amount authorized in the commitment, the amount of the loan shall not exceed the actual cost of the improvements, and that the amount of the loan shall be further adjusted to the lowest \$50 multiple where the amount is not in excess of \$10,000, or adjusted to the lowest \$100 multiple where the amount exceeds \$10,000.

(b) *Certificate and adjustment.* No loan shall be insured unless in accordance with the agreement between the borrower and the lender.

(1) The required certification of actual cost is made by the borrower; and

(2) The amount of the loan is adjusted to reflect the actual cost of the improvements.

(c) *Cost computation.* The term "actual cost of the improvements" shall mean the cost to the borrower of the improvements, after deducting the amount of any kickbacks, rebates, or trade discount received in connection with the improvements, and including:

(1) The amounts paid under any contract for the improvements, labor, materials, and for any other items of expense approved by the Commissioner; and

(2) A reasonable allowance for contractor's profit, in an amount approved by the Commissioner, where the Commissioner determines that there is an identity of interest between the borrower and the contractor.

§§ 220.616—220.625, 220.631 [Revocation].

In Part 220 §§ 220.616 through 220.625 and § 220.631 are revoked.

**§ 220.618 Cost certification requirements—loans over \$40,000.**

When the principal amount of the loan is over \$40,000 the following provisions shall apply:

(a) *Certification of cost requirements.* Prior to initial endorsement of the loan for insurance, the borrower, the lender and the Commissioner shall enter into

an agreement approved by the Commissioner for the purpose of precluding any excess of loan proceeds over the actual cost of the improvements to the project. Under this agreement the borrower shall agree to:

(1) Disclose its relationship with the builder, including any collateral agreement, and with subcontractors and suppliers;

(2) Enter into a construction contract the terms of which shall depend on whether or not there exists an identity of interest between the borrower and the builder;

(3) Execute a certificate of actual costs upon completion of the improvements; and

(4) Apply any excess of loan proceeds over the actual cost to the borrower of the improvements in reduction of the outstanding balance of the principal of the loan.

(b) *Form of contract.* The form of contract between the borrower and the builder shall be in accordance with the following:

(1) *Lump sum contract.* If the Commissioner determines that neither the borrower nor any of the officers, directors or stockholders of the borrower have any interest in the builder or contractor, there may be used a lump sum contract providing for payment of a specified amount.

(2) *Fixed fee contract.* If the Commissioner determines that the borrower, its officers, directors or stockholders have any interest, financial or otherwise in the builder or contractor, the form of contract shall provide for payment of the actual cost of construction not to exceed an upset price and may provide for payment of a builder's fixed fee not exceeding a reasonable allowance as established by the Commissioner in accordance with customary practices in the area.

(c) *Certificates as to subcontracts.* If the Commissioner determines that the borrower, its officers, directors or stockholders have any interest, financial or otherwise, in any subcontractor or material supplier, the borrower shall certify in form prescribed by the Commissioner, prior to final endorsement of the loan for insurance, that the amounts paid to such subcontractor or material supplier were not more than the rate prevailing in the locality for similar type of labor and materials.

(d) *Certificate of actual cost.* The borrower's certificate of actual cost, in form prescribed by the Commissioner, shall be submitted upon completion of the physical improvements to the satisfaction of the Commissioner and prior to final endorsement and shall show the actual cost to the borrower of:

(1) The construction contract, including all costs of construction under a lump sum contract, after deduction of any kickbacks, rebates, trade discounts, or other similar payments to the borrower corporation, or to any of its officers, directors or stockholders;

(2) Architect's fees;

(3) Off-site public utilities and streets not included in the general contract;



(4) Organizational and legal work; and

(5) Other items of expense approved by the Commissioner.

(e) *Fixed fee contract—additional certification.* When the work has been completed under a fixed fee contract, the borrower's certification shall also show:

(1) Allocations of general overhead items as are acceptable to the Commissioner; and

(2) A reasonable allowance for the builder's profit as established by the Commissioner.

(f) *Contractor's certification—fixed fee contract.* A contractor receiving a fixed fee shall certify in form prescribed by the Commissioner as to all actual costs paid for labor, materials, and sub-contract work under the general contract exclusive of the builder's fee and less any kickbacks, rebates, trade discounts, or other similar payments to the builder or borrower corporation or any of its officers, directors or stockholders.

(g) *Adjustment resulting from cost certification.* If the principal obligation of the loan exceeds the actual cost to the borrower of the improvement, the loan shall be reduced by the amount of such excess prior to the final endorsement for insurance.

(h) *Certificate of public accountant.* The certificates of actual cost shall be supported by a certificate as to accuracy by an independent Certified Public Accountant or independent public accountant which shall include a statement that the accounts, records and supporting documents have been examined in accordance with generally accepted auditing standards to the extent deemed necessary to verify the actual costs.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 220, 68 Stat. 596, as amended; 12 U.S.C. 1715k)

#### SUBCHAPTER J—MORTGAGE INSURANCE FOR NURSING HOMES

### PART 232—NURSING HOMES MORTGAGE INSURANCE

#### Subpart A—Eligibility Requirements

Section 232.56 is amended by adding a new paragraph (c) to read as follows:

##### § 232.56 Assurance of completion.

(c) An irrevocable letter of credit acceptable to the Commissioner and the mortgagee and issued by an institution satisfactory to them.

Section 232.60 is amended to read as follows:

##### § 232.60 Escrow for offsite utilities and streets.

The Commissioner may require the deposit with the mortgagee or with an acceptable trustee or escrow agent designated by the mortgagee, under an appropriate agreement, of such cash as may be required for the completion of off-site public utilities and streets. An irrevocable letter of credit acceptable to the Commissioner and the mortgagee and issued by an institution satisfac-

tory to them may be substituted for any cash deposit required by this section.

In § 232.61 paragraph (c) is amended and a new paragraph (d) is added as follows:

##### § 232.61 Equity requirements.

(c) *Deposit and use of funds.* Unless other arrangements acceptable to the Commissioner are made, the funds referred to in paragraphs (a) and (b) of this section shall be deposited with and held by the mortgagee in a special account or by an acceptable depository designated by the mortgagee under an appropriate agreement approved by the Commissioner.

(d) *Letter of credit.* An irrevocable letter of credit acceptable to the Commissioner and the mortgagee and issued by an institution satisfactory to them may be substituted for any cash deposit required by paragraph (a) or by subparagraph (b) (2) of this section.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 232, 73 Stat. 663; 12 U.S.C. 1715w)

Issued at Washington, D.C., January 31, 1962.

PAUL E. FERRERO,  
Acting Federal  
Housing Commissioner.

[F.R. Doc. 62-1203; Filed, Feb. 5, 1962; 8:47 a.m.]

## Title 32A—NATIONAL DEFENSE, APPENDIX

### Chapter VI—Business and Defense Services Administration, Department of Commerce

[BDSA Order M-11A, Revised Schedule A of February 1, 1962]

#### M-11A—COPPER AND COPPER-BASE ALLOYS

##### Revision of Schedule A—Set-Aside Percentages

This amendment of Schedule A to BDSA Order M-11A is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this order, there was consultation with industry representatives, including trade association representatives, and consideration was given to their recommendations.

This amendment makes changes in Revised Schedule A of August 15, 1957, to BDSA Order M-11A, as amended December 18, 1956. It applies to authorized controlled material orders calling for delivery after March 31, 1962, and provides for a new base period for the determination of average shipments against which set-aside percentages are to be applied. Set-aside percentages for copper controlled material products are also revised.

Schedule A to BDSA Order M-11A is hereby further amended to read as follows:

#### SCHEDULE A TO BDSA ORDER M-11A

##### Set-aside Percentages

(See sec. 6(f) of BDSA Order M-11A)

Base period—Calendar Year 1960

(See sec. 2(o) of BDSA Order M-11A)

Product	Percentage for orders calling for delivery after Mar. 31, 1962 <sup>1</sup>
Brass mill products:	
Unalloyed:	
Plate, sheet, strip, and rolls	8
Rod, bar, shapes, and wire	6
Seamless tube and pipe	(2)
Alloyed:	
Plate, sheet, strip, and rolls	3
Rod, bar, shapes, and wire	5
Seamless tube and pipe	12
Military ammunition cups and discs	(2)
Copper wire mill products:	
Copper wire and cable:	
Bare and tinned	5
Weatherproof	5
Magnet wire	5
Insulated building wire	5
Paper and lead power cable	5
Paper and lead telephone cable	5
Asbestos cable	6
Portable and flexible cord and cable	5
Communications wire and cable	5
Shipboard cable	5
Automotive and aircraft wire and cable	5
Insulated power cable	5
Signal and control cable	5
Coaxial cable	5
Copper-clad steel wire containing over 20 percent copper by weight regardless of end use	5
Copper foundry products	3
Unalloyed copper powder mill products	(2)
Copper-base alloy powder mill products	(2)

<sup>1</sup> Schedule A revised as of Aug. 15, 1957, to BDSA Order M-11A, as amended Dec. 18, 1956, applies to orders calling for delivery prior to Apr. 1, 1962.

<sup>2</sup> No reserve space provided. Producers of these products are nevertheless required to accept authorized controlled material orders for such products in accordance with the provisions of DMS Regulation No. 1 and this order. However, section 6(f) of Order M-11A does not apply to such authorized controlled material orders.

(Sec. 704, 64 Stat. 816, as amended; sec. 1, 74 Stat. 282; 50 U.S.C. App. 2154, 2166)

This revised schedule shall take effect February 1, 1962.

BUSINESS AND DEFENSE SERVICES ADMINISTRATION,  
EUGENE P. FOLEY,  
Administrator.

[F.R. Doc. 62-1163; Filed, Feb. 5, 1962; 8:45 a.m.]

## Title 42—PUBLIC HEALTH

### Chapter I—Public Health Service, Department of Health, Education, and Welfare

#### PART 53—GRANTS FOR SURVEY, PLANNING AND CONSTRUCTION OF HOSPITALS AND MEDICAL FACILITIES

##### Rehabilitation Facilities; Hospital Priority; Technical Amendments

##### Correction

In Federal Register Document 62-1025, published at page 894 in the FEDERAL REGISTER of January 31, 1962, the second word of § 53.51(b) should be "count".

## Title 50—WILDLIFE AND FISHERIES

### Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

#### PART 33—SPORT FISHING

#### Wildlife Refuges in Florida and South Carolina

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

#### § 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

##### FLORIDA

##### ST. MARKS NATIONAL WILDLIFE REFUGE

Sport fishing on the St. Marks National Wildlife Refuge, Florida, is permitted only on the areas designated by signs as open to fishing. This open area, comprising 44,000 acres or 80 percent of the total area of the refuge, is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries

and Wildlife, Peachtree-Seventh Building, Atlanta 23, Georgia. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Largemouth bass, bream, pickerel, and other minor species permitted by State regulations.

(b) Open season: St. Marks and Wakulla Units, May 1, 1962, through October 15, 1962. Certain described areas of the Panacea unit north of State Highway No. 372, March 1 through October 15, 1962. The Panacea unit area south of State Highway No. 372, February 1 through December 31, 1962. One hour before sunrise to one hour after sunset.

(c) Daily creel limits: Largemouth bass, 10; Bream, 35; Pickerel, 15; other creel limits for minor species are as prescribed for State regulations.

(d) Methods of fishing. (1) Pole and line, rod and reel, artificial and live baits permitted.

(2) Row boats, canoes, and other floating devices without motors permitted. Boats must be removed from the refuge at the close of each day's legal fishing hours.

(3) Trot lines as permitted by the State for sport fishing are allowed, except that lines shall be taken up prior to closing hour of fishing daily.

(e) Other provisions. (1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective to January 1, 1963.

##### SOUTH CAROLINA

##### CAROLINA SANDHILLS NATIONAL WILDLIFE REFUGE

The special regulation permitting sport fishing on the Carolina Sandhills National Wildlife Refuge, South Carolina, § 33.5, published December 20, 1961, in the FEDERAL REGISTER, Volume 26, Number 244, Page 1277 is amended as follows: Black bass, 10; game fish other than bass, 25.

The provisions of this amended special regulation are effective to December 1, 1962.

F. C. GILLET, *Acting Regional Director, Bureau of Sport Fisheries and Wildlife.*

[F.R. Doc. 62-1183; Filed, Feb. 5, 1962; 8:46 a.m.]

# Proposed Rule Making

## FEDERAL AVIATION AGENCY

### [ 14 CFR Part 20 ]

[Reg. Docket No. 1050; Draft Release No. 62-4]

#### PILOT AND INSTRUCTOR CERTIFICATES

##### Relocate Requirement for Dual Instru- ment Instruction Before Solo From Private Pilot Experience Require- ments to Presolo Requirements

Pursuant to the authority delegated to me by the Administrator (14 CFR 405.27), notice is hereby given that there is under consideration a proposal to amend Part 20 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted, preferably in duplicate, to the Docket Section of the Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before April 9, 1962, will be considered by the Administrator before taking action on the proposed rules. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available in the Docket Section for examination by interested persons when the prescribed date for return of comments has expired.

Section 20.34 of the Civil Air Regulations prescribes the aeronautical experience required for an applicant for a private pilot certificate. Paragraph (d) of this section specifies that an applicant shall have had flight instruction by reference to instruments, integrated with the dual flight instruction in primary flight maneuvers given before and after solo. This requirement was adopted through Amendment 20-12 to Part 20 of the Civil Air Regulations which was made effective on March 16, 1960. The preamble to the amendment states its objectives, and concludes that the changes constitute part of the Agency's program to improve the competence of the student pilot as well as the private pilot.

One of the primary objectives expressed was that of applying the knowledge gained through research in primary flight training conducted at West Virginia University. This research demonstrated that students who learn to observe and use flight instruments from the beginning of their flight training are much more proficient in holding attitude, altitude, headings, and airspeeds in normal VFR flight. Later observations by inspectors of the Agency have verified the effectiveness of the program in this respect.

However, the intent of applying the benefits of this program to improve the

competence of student pilots is not technically carried out by relating the presolo phase of integrated instrument instruction to private pilot requirements.

It is therefore proposed to make presolo dual instrument instruction a prerequisite for a student pilot solo flight in an airplane within § 20.23 instead of a prerequisite for obtaining a private pilot certificate under § 20.34. This change will better carry out the objective expressed in the preamble to Civil Air Regulations Amendment 20-12.

The changes proposed in § 20.23 would require redesignation of the text in the present section as paragraph (a) and the redesignation of the present paragraphs as subparagraphs. These changes are required so that a new paragraph may be added to the section. This new paragraph (b), gives information about who may give dual instrument flight instruction, and the equipment required, which was previously contained in § 20.34(d). In addition to this new paragraph, the other proposed change in text in § 20.23 is in paragraph (a) (2), which corresponds to present paragraph (b). This change would add a requirement for dual instrument flight instruction to the presolo requirements currently specified. In addition, certain minor editorial corrections have been made in the section. Since the directions for these changes and redesignations would be complicated, the entire section is being repeated in the proposed amendment.

Section 20.34 would be amended by deleting paragraphs (d) and (e) and adding a new paragraph (d). In addition to the material previously included in paragraph (e), this new paragraph will specify the dual flight instruction required after the first solo cross-country flight as a prerequisite for a private pilot certificate.

These changes will not affect the present reference in § 20.34-1 to § 20.34(d). The latter paragraph was added by Civil Air Regulations Amendment 20-12, effective March 16, 1960, without changing the reference in § 20.34-1, which after such date should properly have been to § 20.34(e).

In consideration of the foregoing, it is proposed to amend Part 20 of the Civil Air Regulations (14 CFR Part 20) as follows:

1. By amending § 20.23 to read as follows:

##### § 20.23 Requirements for solo flight.

(a) A student pilot may not operate an airplane in solo flight until:

(1) He is familiar with the general and visual flight rules of Part 60 of this chapter (Civil Air Regulations);

(2) He has received dual instruction in such preparatory and flight procedures as preflight inspection, starting, warming up, operating, and stopping the engine; taxiing, takeoffs, landings,

and parking; traffic pattern procedures; level flight, turns, climbs, and glides, both by visual reference outside the airplane and solely by reference to instruments; and stalls and emergency landings; and

(3) His student pilot certificate has been endorsed by an appropriately rated flight instructor who has examined him and found him to have complied with the provisions of subparagraphs (1) and (2) of this paragraph and otherwise to be competent to make solo flights.

(b) The dual instruction in the control of an airplane solely by reference to instruments, required by paragraph (a) (2) of this section, shall be given by the holder of a flight instructor certificate with an airplane rating. The airplane shall be equipped with at least a sensitive altimeter, a turn-and-bank indicator, and a means for simulating instrument flight conditions.

2. By amending § 20.34 by deleting paragraphs (d) and (e) and adding a new paragraph (d) to read as follows:

##### § 20.34 Aeronautical experience.

(d) Three hours of dual instruction after the first solo cross-country flight, which shall include a review of the procedures and maneuvers previously learned, and additional instruction in preparation for the private pilot flight test, including control of the airplane solely by reference to instruments. The dual instruction in the control of the airplane, solely by reference to instruments, shall be given in accordance with the requirements of § 20.23(b).

(Secs. 313(a), 601, 602; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1422)

Issued in Washington, D.C., on January 29, 1962.

GEORGE C. PHILL,  
Director, Flight Standards Service.

[F.R. Doc. 62-1175; Filed, Feb. 5, 1962; 8:45 a.m.]

### [ 14 CFR Part 49 ]

[Reg. Docket No. 1049; Draft Release No. 62-3]

#### MAGNETIC MATERIALS

##### Notice of Proposed Rule Making

Pursuant to the authority delegated to me by the Administrator (14 CFR 405.27), notice is hereby given that there is under consideration a proposal to amend Part 49 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25,

D.C. All communications received on or before April 9, 1962, will be considered by the Administrator before taking action on the proposed rules. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available in the Docket Section for examination by interested persons when the prescribed date for return of comments has expired.

Explosives and other dangerous articles defined by Part 49 of the Civil Air Regulations do not include magnetic materials. Air shipments of magnets and magnetic devices can adversely influence the accuracy of magnetic compasses and devices unless they are properly packed and kept at a safe distance from the aircraft's compass. In order to safeguard the navigation of aircraft, it is necessary to require the shippers of magnetic materials to clearly mark packages containing magnetic materials and where possible install the keeper bar on permanent magnets. The identification marking of such packages will alert operators of aircraft to arrange their stowage at a location where they will not interfere with the navigational equipment of the aircraft.

In consideration of the foregoing, it is proposed to amend Part 49 of the Civil Air Regulations as follows:

#### § 49.1 [Amendment]

1. By amending § 49.1(a) by adding between the words "articles" and "shall" the phrase ", or any other articles specifically regulated by the rules of this part."

2. By adding a new § 49.16 to read as follows:

#### § 49.16 Packing and marking requirements for magnetic materials.

No shipper shall offer magnetic materials for shipment by air unless:

- (a) The outside package has been plainly marked "Magnetic Materials";
- (b) Magnets or magnetic devices such as magnetrons and light meters have been packed so that the polarities of the individual units oppose one another; and
- (c) Permanent magnets, where possible, have the keeper bar installed. No other certification, labeling, or quantity limitations are prescribed for the shipment of magnetic materials by the provisions of this part.

3. By amending § 49.21 by adding a new paragraph (d) to read as follows:

#### § 49.21 Cargo location.

(d) Magnetic materials shall not be loaded on the aircraft in the vicinity of the magnetic compasses or compass master units which are a part of the instrument equipment of the aircraft so as to affect their operation. If it is not possible to meet this requirement a special aircraft swing and compass calibration shall be made.

These amendments are proposed under the authority of sections 313(a), 601, 604, 902 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 778, 784; 49 U.S.C. 1354(a), 1421, 1424, 1472).

Issued in Washington, D.C., on January 29, 1962.

GEORGE C. FRILL,  
Director, Flight Standards Service.

[F.R. Doc. 62-1174; Filed, Feb. 5, 1962; 8:45 a.m.]

### [ 14 CFR Part 600 ]

[Airspace Docket No. 61-LA-67]

## FEDERAL AIRWAYS

### Proposed Alteration

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.6210 of the regulations of the Administrator, the substance of which is stated below.

Low altitude VOR Federal airway No. 210 is designated in part from the Farmington, N. Mex., VORTAC via the intersection of the Farmington VORTAC 090° and the Alamosa, Colo., VOR 232° True radials (Horse Lake Intersection) to the Alamosa VOR. The Federal Aviation Agency has under consideration the alteration of this segment of Victor 210 by realigning it from the Farmington VORTAC via the intersection of the Farmington VORTAC 086° and the Alamosa VOR 232° True radials; to the Alamosa VOR. This would provide a lower minimum en route altitude and result in the acquisition of an additional cardinal altitude between Farmington and Horse Lake.

The control areas associated with this segment of Victor 210 are so designated that they would automatically conform to the altered airway. The vertical extent of these control areas would remain as designated pending review of the adjacent airspace. Separate action will be initiated to implement on an area basis Amendment 60-21 to Part 60 of the Civil Air Regulations.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 45, Calif. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C-226, 1711 New York Avenue

NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on January 30, 1962.

CLIFFORD P. BURTON,  
Acting Chief,

Airspace Utilization Division.

[F.R. Doc. 62-1173; Filed, Feb. 5, 1962; 8:45 a.m.]

### [ 14 CFR Part 601 ]

[Airspace Docket No. 61-NY-99]

## CONTROLLED AIRSPACE

### Proposed Designation of Control Zone

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 601 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration designation of a control zone at Morristown, N.J. The proposed control zone would be designated from 0700 to 2300 hours local standard time, daily, within a 5-mile radius of the Morristown Airport (latitude 40°47'50" N., longitude 74°25'05" W.); within 2 miles either side of a line bearing 227° True from the Chatham, N.J., radio beacon extending from the 5-mile radius zone to 8 miles southwest of the radio beacon, and within 2 miles either side of a line bearing 248° True from the Chatham radio beacon extending from the radio beacon to 4 miles southwest of the radio beacon, excluding the portion lying within a one-mile radius of the Hanover, N.J., Airport (latitude 40°50'20" N., longitude 74°20'45" W.). This control zone would provide protection for aircraft executing prescribed instrument approach and departure procedures at the Morristown Airport. Communications and weather reporting service would be provided to aircraft operating within the proposed control zone by the Federal Aviation Agency control tower scheduled to be commissioned at Morristown Airport approximately February 1, 1962.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Eastern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented

during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958, (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on January 30, 1962.

CLIFFORD P. BURTON,  
Acting Chief,  
Airspace Utilization Division.

[F.R. Doc. 62-1172; Filed, Feb. 5, 1962;  
8:45 a.m.]

## SMALL BUSINESS ADMINISTRATION

[ 13 CFR Part 121 ]

### AIRCRAFT AND MISSILE EQUIPMENT INDUSTRIES

#### Notice of Hearing on Definition as Small Business

Notice is hereby given that the Small Business Administration proposes to hold

a hearing on the definitions of small business for manufacturers and distributors of aircraft and missile equipment for the purpose of Government procurement. In addition to consideration of the definition of small business for the industries, comments will be accepted concerning their application to subcontractors on Government contracts.

The hearing will take place February 27, 1962, at 10:00 a.m., e.s.t., in Room 1143, 811 Vermont Avenue NW., Washington 25, D.C.

Interested persons may file with the Director, Office of Small Business Size Standards on or before February 22, 1962, written statements of facts, opinions, or arguments concerning the appropriate definitions of small business for manufacturers and distributors of aircraft and/or missile equipment and their use in carrying out the Government procurement subcontracting program. Those persons who wish to make oral statements should notify the Director in writing setting forth the name and title (if any) of the persons who will appear and whom they represent.

All correspondence on this matter shall be addressed to:

Samuel S. Solomon, Director,  
Office of Small Business Size Standards,  
Small Business Administration,  
Washington 25, D.C.

There is no specific definition of small business manufacturers for the missile equipment industry. In such cases the general 500 employee rule is used.

The present definition of small business manufacturers of aircraft equipment for the purpose of Government procurement is a concern that (1) is independently owned and operated, (2) is not dominant in its field of operation, and (3) with its affiliates employs not more than 500 persons, or 1,000 persons for the purpose of bidding on the aircraft equipment set forth below:

- (i) Airframes and structural components.
- (ii) Aircraft propellers and hubs.
- (iii) Wheel and brake systems.
- (iv) Jet engines.
- (v) Fuel tanks.
- (vi) Aircraft hydraulic systems.
- (vii) Aircraft vacuum systems.
- (viii) Aircraft air-conditioning.
- (ix) Heating and pressurizing equipment.
- (x) Fire control systems.
- (xi) Flight instruments.
- (xii) Flight simulators (except small cockpit trainers).
- (xiii) Aircraft deicing systems.

The present definition of small business distributors (nonmanufacturers) of aircraft and/or missile equipment for the purpose of Government procurement is a concern which (1) employs 500 persons or less, and (2) supplies the products of small business manufacturers which products have been manufactured or produced in the United States.

Dated: January 26, 1962.

JOHN E. HORNE,  
Administrator.

[F.R. Doc. 62-1186; Filed, Feb. 5, 1962;  
8:46 a.m.]

# Notices

## DEPARTMENT OF COMMERCE

Office of the Secretary  
COMMISSIONER, U.S. SCIENCE  
EXHIBIT

### Delegation of Authority To Negotiate Certain Contracts

1. Pursuant to authority vested in the Secretary of Commerce by law and by delegations from the Administrator of General Services, the Commissioner, U.S. Science Exhibit is hereby authorized to exercise the authority of the Secretary of Commerce to negotiate contracts without advertising under the provisions of section 302(c) (2), (4), (5), and (10) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended.

2. This authority shall be exercised only with respect to procurement of those supplies and services which are required in connection with authorized activities, other than administrative programs, conducted by the U.S. Science Exhibit.

3. This authority shall be exercised in accordance with applicable limitations and requirements of the act, particularly sections 304 and 307 thereof, and in accordance with policies, procedures and controls prescribed by the General Services Administration.

4. Subject to the provisions of 3 above, the authority herein delegated may be redelegated to any officer or employee of the U.S. Science Exhibit.

5. This delegation is effective as of this date.

Dated: January 30, 1962.

LUTHER H. HODGES,  
Secretary of Commerce.

[F.R. Doc. 62-1198; Filed, Feb. 5, 1962;  
8:47 a.m.]

## DEPARTMENT OF HEALTH, EDU- CATION, AND WELFARE

### Public Health Service

### LICENSED BIOLOGICAL PRODUCTS

Notice is hereby given that pursuant to section 351 of the Public Health Service Act, as amended (42 U.S.C. 262), and regulations issued thereunder (42 CFR Part 73), the following establishment license and product license actions have been taken from October 16, 1961, to January 15, 1962, inclusive. These lists are supplementary to the lists of licensed establishments and products in effect on April 15, 1961, published on July 1, 1961, in 26 F.R. 5961, as amended by two lists, one of license actions taken from April 16, 1961, through July 15, 1961, published on August 12, 1961, in 26 F.R. 7365, and one of license actions taken from July 16, 1961, through October 15, 1961, published November 7, 1961, in 26 F.R. 10492.

1076

### ESTABLISHMENT LICENSES ISSUED

Establishment	License No.	Date
Lane Memorial Blood Bank, Eugene, Oreg.....	304	10-16-61
Mid-State Blood Center, Nashville, Tenn.....	341	12- 1-61

### PRODUCT LICENSES ISSUED

Product	Establishment	License No.	Date
Citrated Whole Blood (Human).....	Mid-State Blood Center.....	341	12- 1-61
Influenza Virus Vaccine.....	Wyeth Laboratories, Inc.....	3	12-13-61
Heparinized Whole Blood (Human).....	Chicago Blood Donor Service, Inc.....	169	12-14-61
Heparinized Whole Blood (Human).....	Aurora Blood Bank and Donors Society.....	222	12-16-61
Diphtheria Toxoid, Alum Precipitated.....	Chas. Pfizer & Co., Inc.....	297	1- 2-62
Tetanus Toxoid, Alum Precipitated.....	do.....		

### ESTABLISHMENT LICENSES REVOKED WITHOUT PREJUDICE

Establishment	License No.	Date
Lane County Blood Bank, Eugene, Oreg.....	304	10-16-61

### PRODUCT LICENSES REVOKED WITHOUT PREJUDICE: None.

#### Approved:

RODERICK MURRAY,  
Director, Division of Biologics  
Standards, National Institutes  
of Health, Public Health  
Service, U.S. Department of  
Health, Education, and  
Welfare.

#### Approved:

J. STEWART HUNTER,  
Assistant to the Surgeon Gen-  
eral for Information, Public  
Health Service, U.S. Depart-  
ment of Health, Education,  
and Welfare.

[F.R. Doc. 62-1199; Filed, Feb. 5, 1962;  
8:47 a.m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

### IDAHO

### Notice of Proposed Withdrawal and Reservation of Lands

JANUARY 29, 1962.

The Bureau of Sports Fisheries and Wildlife has filed an application, Serial Number Idaho 012996 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws including the mining laws, except the mineral leasing laws and the disposal of materials under the Materials Act of July 31, 1947. The applicant desires the land for The Upper Blackfoot Wildlife Management Area to be administered as a wildlife refuge, public shooting grounds, or game management area. For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Manage-

ment, Department of the Interior, P.O. Box 2237, Boise, Idaho.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

#### BOISE MERIDIAN, IDAHO

T. 2 S., R. 35 E.,  
Sec. 12: Lots 7, 9, 10, 11;  
Sec. 13: Lot 6;  
Sec. 14: Lot 5;  
Sec. 23: Lots 8, 9, 11, 14, 15, 18;  
Sec. 26: Lot 2;  
Sec. 27: Lots 10, 15;  
Sec. 32: Lot 3;  
Sec. 33: Lots 10, 11, 14, 17.

T. 3 S., R. 35 E.,  
Sec. 5: Lots 11, 14, 15, 16 (except 0.837 acres in City of Blackfoot-lease Idaho 012742);  
Sec. 7: Lot 10;  
Sec. 8: Lots 17, 18.

The areas described aggregate 424.89 acres of public land in Bingham County, Idaho.

JOE T. FALLINI,  
State Director.

[F.R. Doc. 62-1193; Filed, Feb. 5, 1962;  
8:46 a.m.]

## ATOMIC ENERGY COMMISSION

[Docket No. 50-141]

### BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY

### Notice of Issuance of Utilization Facility License Amendment

Please take notice that the Atomic Energy Commission has issued Amendment No. 3, set forth below, to Facility License No. R-60, as amended. The license authorizes The Board of Trustees of the Leland Stanford Junior University

to operate the pool-type research reactor located on the Stanford University's campus near Palo Alto, California. The amendment incorporates into the license (1) certain changes in the neutron source description and its manipulation in connection with operation of the reactor, and (2) a revised description of the interlocks which are operative during safety blade withdrawal, as described in the applications for license amendment dated October 31, 1961, and January 18, 1962. The Commission has found that the conduct of the proposed activities in accordance with License No. R-60, as amended, will not present undue hazard to the health and safety of the public and will not be inimical to the common defense and security.

The Commission has further found that prior public notice of proposed issuance of this amendment is not necessary in the public interest since the operation of the reactor in accordance with the terms of the license, as amended, does not present any substantial change in the hazards to the health and safety of the public from those previously considered and evaluated in connection with the previously approved operation of the reactor.

In accordance with § 2.102(a) of the Commission's rules of practice (10 CFR Part 2) the Commission will direct the holding of a formal hearing on the matter of issuance of the license amendment upon receipt of a request therefor from the licensee or a petition to intervene pursuant to § 2.705 of the rules of practice within 30 days after the issuance of the license amendment. Petitions for leave to intervene and requests for a formal hearing shall be filed in accordance with the provisions of § 2.700 of the Commission's rules of practice (10 CFR Part 2).

For further details see (a) the applications for amendment submitted by Stanford University dated October 31, 1961, and January 18, 1962, and (b) a related hazards analysis prepared by the Research & Power Reactor Safety Branch of the Division of Licensing and Regulation, both available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (b) above may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 30th day of January 1962.

For the Atomic Energy Commission.

ROBERT H. BRYAN,  
Chief, Research and Power Reactor Safety Branch, Division of Licensing and Regulation.

[License No. R-60; Amdt. No. 3]

Paragraph 1 of License No. R-60 issued to The Board of Trustees of the Leland Stanford Junior University is hereby amended to read as follows:

1. This license applies to the pool-type heterogeneous, light water-moderated and -reflected training and research reactor (hereinafter referred to as "the reactor")

which is owned by the applicant, is located on Stanford University's campus near Palo Alto, Calif., and is described in the application for license dated June 11, 1959, and amendments thereto dated August 21, 1959, January 31, 1961, April 17, 1961, October 31, 1961, and January 18, 1962 (hereinafter collectively referred to as "the application").

This amendment is effective as of the date of issuance.

Date of issuance: January 30, 1962.

For the Atomic Energy Commission.

ROBERT H. BRYAN,  
Chief, Research and Power Reactor Safety Branch, Division of Licensing and Regulation.

[F.R. Doc. 62-1171; Filed, Feb. 5, 1962; 8:45 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket 13335]

### SERVICE TO OGDENSBURG, N.Y., CASE

#### Notice of Prehearing Conference

Notice is hereby given that a prehearing conference on the above-entitled matter is assigned to be held on February 19, 1962, at 10 a.m., e.s.t., in Room 1029, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Harley G. Moorhead.

Dated at Washington, D.C., January 31, 1962.

[SEAL]

FRANCIS W. BROWN,  
Chief Examiner.

[F.R. Doc. 62-1201; Filed, Feb. 5, 1962; 8:47 a.m.]

## FEDERAL MARITIME COMMISSION

[Docket No. 954 (Sub-2)]

### SUGAR, REFINED OR TURBINATED, IN BAGS IN THE ATLANTIC/GULF PUERTO RICO TRADE

#### Investigation of Increased Rates; Notice of Supplemental Order

On January 22, 1962, the Federal Maritime Commission entered the following Third Supplemental Order to the original order in this proceeding dated December 7, 1961.

It appearing that by order dated December 7, 1961, the Commission entered into an investigation concerning the lawfulness of an increased rate on sugar contained in tariff schedule designated therein, and suspended the operation of said rate to and including April 7, 1962; and

It further appearing that the Commission having found good cause therefor has on January 3, 1962, granted the United States Atlantic & Gulf-Puerto Rico Conference, Richard Kinsella, Agent special permission authority to cancel such suspended matter on not less than one day's notice under Special Permission No. 3965 and pursuant thereto, such matter has been properly cancelled;

Now, therefore, it is ordered, That the investigation instituted under Docket No.

954 (Sub 2), insofar as it pertains to the United States Atlantic and Gulf-Puerto Rico Conference, Richard Kinsella, Agent be, and it is hereby discontinued; and

It is further ordered, That copies of this order shall be filed with the said tariff schedule in the Bureau of Domestic Regulation, Federal Maritime Commission; and

It is further ordered, That a copy of this order shall be forthwith served upon all respondents and protestants herein; and that this order be published in the FEDERAL REGISTER.

Dated: January 31, 1962.

By the Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 62-1164; Filed, Feb. 5, 1962; 8:45 a.m.]

### GRACE LINE, INC., ET AL.

#### Notice of Agreements Filed for Approval

Notice is hereby given that the following described agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 75 Stat. 763; 46 U.S.C. 814):

Agreement 8763, between Grace Line, Inc. and A. H. Bull Steamship Co., covers a through billing arrangement in the trade from Chile, Ecuador, Peru and Colombia Pacific Coast ports to Puerto Rico, with transshipment at New York, Baltimore or Philadelphia. Agreement 8763, upon approval, will supersede and cancel approved Agreement 8541, between Grace Line, Inc., and Bull Insular Line, Inc., in the same trade.

Agreement 8764, between American Export Lines, Inc., and A. H. Bull Steamship Co., covers a through billing arrangement for the transportation of general cargo, exclusive of refrigerated cargo, garlic and other perishables or semiperishables, in the trade from France, Italy, and North Africa to Puerto Rico, with transshipment at New York, Baltimore, or Philadelphia. Agreement 8764, upon approval, will supersede and cancel approved Agreement 8446, between American Export Lines, Inc., and Bull Insular Line, Inc., in the same trade.

Interested parties may inspect these agreements and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., and may submit within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to either of these agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: February 1, 1962.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 62-1196; Filed, Feb. 5, 1962; 8:46 a.m.]



## NORTHERN PAN AMERICA LINE, ET AL.

### Notice of Agreements Filed for Approval

Notice is hereby given that the following described agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 75 Stat. 763; 46 U.S.C. 814):

Agreement 8758, between The Northern Pan America Line (NOPAL Line) and Alcoa Steamship Company, Inc., covers a through billing arrangement in the trade from Argentina, Brazil, and Uruguay to Puerto Rico, with transshipment at New Orleans or Mobile.

Agreement 8759, between Isthmian Lines, Inc., and A. H. Bull Steamship Co., covers a through billing arrangement in the trade from Federation of Malaya, Singapore, Thailand, Indonesia, Philippines, India, Pakistan, Ceylon, Persian Gulf, Red Sea, and Gulf of Aden ports and ports in Egypt, Cambodia, and Vietnam to Puerto Rico, with transshipment at New York, Baltimore, or Philadelphia.

Agreement 8761, between the carriers comprising the States Marine Lines' joint service (operating under approved joint service Agreement 7628, as amended) and A. H. Bull Steamship Co., covers a through billing arrangement in the trade from Japan, Korea, Hong Kong, and Formosa to Puerto Rico, with transshipment at New York, Baltimore, or Philadelphia.

Agreement 8766, between Servizio Italo-Sud Americano and Sea-Land Service, Inc., Puerto Rican Division, covers a through billing arrangement in the trade from Mediterranean ports to Puerto Rico, with transshipment at New York.

Interested parties may inspect these agreements and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., and may submit within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to any of these agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: February 1, 1962.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 62-1197; Filed, Feb. 5, 1962;  
8:47 a.m.]

## FEDERAL POWER COMMISSION

[Project No. 2256]

### CONSOLIDATED WATER POWER CO.

#### Notice of Application for Amendment of License

JANUARY 30, 1962.

Public notice is hereby given that application has been filed under the Fed-

eral Power Act (16 U.S.C. 791a-825r) by Consolidated Water Power Company, Wisconsin Rapids, Wis., for amendment of its license for Project No. 2256 located on the Wisconsin River at Wisconsin Rapids, in Wood County, Wis.

The application seeks to remove Units Nos. 1 and 2 from the Wisconsin Rapids powerhouse; described as two Francis turbines of 900 horsepower each, being parts of ten units under license.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is March 19, 1962. The application is on file with the Commission for public inspection.

GORDON M. GRANT,  
Acting Secretary.

[F.R. Doc. 62-1180; Filed, Feb. 5, 1962;  
8:45 a.m.]

[Project No. 2082]

### PACIFIC POWER & LIGHT CO.

#### Order Fixing Hearing and Prescribing Procedure

JANUARY 30, 1962.

On August 21, 1961, the State of California, acting by and through its Department of Fish and Game, filed a petition requesting that the Commission prescribe a fish hatchery and appurtenant facilities, pursuant to Article 49 of the license for Project No. 2082, for the incubation of fish eggs, for raising the fish thus hatched, and for stocking the same in the Klamath River in order to maintain or continue normal runs of salmon and steelhead which would be displaced or affected by the Iron Gate development of Pacific Power & Light Company, Licensee for Project No. 2082. Article 49 of the license for Project No. 2082 reads as follows:

Article 49. The Licensee shall construct, maintain, and operate or shall arrange for the construction, maintenance, and operation of artificial propagation facilities and such other permanent fish facilities and protective devices including, but not limited to, fish-hauling trucks, fish screens or ladders, and comply with such reasonable modifications in project structures and operation in the interest of fish life as may be prescribed hereafter by the Commission upon the recommendation of the Secretary of the Interior and the California Department of Fish and Game, after notice and opportunity for hearing.

An answer to the petition was filed by the Licensee on September 13, 1961. In its answer, Licensee denies that a hatchery or any fish rearing facilities are necessary, appropriate, proper or incidental to the Iron Gate development for the purposes related in said petition, or otherwise, including a denial that any such fish facilities are necessary, appropriate, or proper for the maintenance or continuation of normal runs of anadromous fish in the Klamath River.

The Department of Fish and Game and the Licensee have requested a hearing on the issues presented. The procedures hereinafter prescribed are in-

tended to eliminate any cause which might otherwise exist for a protracted hearing: By requiring that the respective parties submit in advance of the hearing relevant facts in support of their respective positions; and by providing for motions to strike improperly prepared testimony, including conclusions and opinions presented without having set forth a proper foundation therefor.

The Commission finds: It is appropriate and in the public interest to hold a public hearing respecting the matters involved and the issues presented, as hereinafter provided.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Federal Power Act, particularly section 308 thereof, and the Commission's rules of practice and procedure, a public hearing shall be held on June 4, 1962 at 10 a.m., at the Commission's Regional Office, 555 Battery Street, San Francisco, Calif., respecting the matters involved and issues presented by the aforesaid petition of the Department of Fish and Game and the answer thereto by the Licensee.

(B) The following procedure is prescribed for the public hearing herein ordered:

(1) The Department of Fish and Game of the State of California shall by April 30, 1962, file with the Commission's Secretary an original and ten copies of all of its direct testimony (including qualifications of witnesses and exhibits) and at that time serve three copies thereof on the Licensee.

(2) The Licensee shall by May 14, 1962, file with the Commission's Secretary, an original and ten copies of all of its testimony (including qualifications of witnesses and exhibits) and at that time serve three copies thereof on the Department of Fish and Game.

(3) All of the testimony except exhibits, shall be in question and answer form.

(4) No exhibits (except those of which official notice may properly be taken) shall contain narrative material other than brief explanatory notes.

(5) All exhibits (except those of which official notice may properly be taken) shall contain brief and appropriate titles, and the exhibits shall be fully explained in the prepared testimony by the witness or witnesses sponsoring them.

(6) Each witness shall execute an affidavit adopting the testimony for which he assumes responsibility and an original and two conformed copies of such affidavits shall be filed with his prepared testimony.

(7) Any party submitting more than one exhibit shall enclose a cover sheet listing the title of each exhibit in the sequence they wish them to be marked for identification.

(8) Any motions to strike any part of the prepared testimony and exhibits (prior to cross-examination), shall be filed with the Presiding Examiner or Chief Examiner by May 24, 1962; answers thereto shall be filed by May 31, 1962; and rulings on such motions will be made

by the Examiner at the time such testimony or exhibits are offered in accordance with subparagraph (9).

(9) Upon the commencement of the hearing and after appearances, opening statements, and other preliminary matters, the exhibits previously filed, as provided above, will be marked for identification in the sequence directed by the Presiding Examiner; and thereafter the Examiner will require that the affidavits of the respective witnesses and their prepared testimony (together with the qualifications of the respective witnesses) previously filed, as provided above, be copied into the record as though read, excepting any part or parts of the prepared testimony with respect to which he may have granted motion to strike.

(10) The Presiding Examiner will specify the order of cross-examination for the information of the parties in making their respective witnesses available for cross-examination.

(C) Requests for extension of time concerning the time for any filings specified herein shall be made in writing, served on all parties and filed with the Presiding Examiner or the Chief Examiner (together with a certificate of service) at least ten days in advance of the dates specified herein (or as may have been extended), and any answers thereto shall be filed with the Presiding Examiner or Chief Examiner within three days after the request for extension.

(D) The Commission's rules of practice and procedure shall apply in this proceeding except to the extent that they are modified or supplemented herein or to the extent that they are further modified or supplemented by the Examiner with the consent of the parties.

By the Commission.

GORDON M. GRANT,  
Acting Secretary.

[F.R. Doc. 62-1181; Filed, Feb. 5, 1962;  
8:45 a.m.]

[Project No. 2299]

## **TURLOCK IRRIGATION DISTRICT, MODESTO IRRIGATION DISTRICT**

### **Order Fixing Hearing and Prescribing Procedure**

JANUARY 30, 1962.

The State of California, acting by and through its Department of Fish and Game (Intervener) filed a petition on September 21, 1961, and an amended petition on November 27, 1961, requesting a hearing at which it may submit evidence in support of proposed license provisions for the protection of fish and wildlife resources of the Tuolumne River on which Turlock Irrigation District and Modesto Irrigation District (joint Applicants for license for Project No. 2299) propose to construct, operate and maintain the New Don Pedro project, Project No. 2299.

Several conferences have been held at which representatives of Intervener and the joint Applicants participated. Having been unable to resolve their differences with Intervener, the joint Applicants have also requested a hearing, at the earliest possible date.

No. 25—3

The procedures hereinafter prescribed are intended to eliminate any cause which might otherwise exist for a protracted hearing: By requiring that the respective parties submit in advance of the hearing relevant facts in support of their respective positions; and by providing for motions to strike improperly prepared testimony, including conclusions and opinions presented without having set forth a proper foundation therefor.

The Commission finds: It is appropriate and in the public interest to hold a public hearing respecting the matters involved and the issues presented, as hereinafter provided.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Federal Power Act, particularly section 308 thereof, and the Commission's rules of practice and procedure, a public hearing shall be held on May 21, 1962 at 10 a.m., at the Commission's Regional Office, 555 Battery Street, San Francisco, Calif., respecting the matters involved and issues presented by the petition to intervene filed July 26, 1961 by the State of California acting by and through its Department of Fish and Game.

(B) The following procedure is prescribed for the public hearing herein ordered:

(1) The Department of Fish and Game of the State of California shall by April 30, 1962, file with the Commission's Secretary an original and ten copies of all of its direct testimony (including qualifications of witnesses and exhibits) and at that time serve three copies thereof on the Applicants. Copies of license provisions recommended by Intervener shall be filed and served with its prepared direct testimony in support thereof.

(2) The Joint Applicants shall by May 9, 1962, file with the Commission's Secretary, an original and ten copies of all of their testimony (including qualifications of witnesses and exhibits) and at that time serve three copies thereof on the Department of Fish and Game.

(3) All of the testimony except exhibits, shall be in question and answer form.

(4) No exhibits (except those of which official notice may properly be taken) shall contain narrative material other than brief explanatory notes.

(5) All exhibits (except those of which official notice may properly be taken) shall contain brief and appropriate titles, and the exhibits shall be fully explained in the prepared testimony by the witness or witnesses sponsoring them.

(6) Each witness shall execute an affidavit adopting the testimony for which he assumes responsibility and an original and two conformed copies of such affidavits shall be filed with his prepared testimony.

(7) Any party submitting more than one exhibit shall enclose a cover sheet listing the title of each exhibit in the sequence they wish them to be marked for identification.

(8) Any motions to strike any part of the prepared testimony and exhibits (prior to cross-examination), shall be

filed with the Presiding Examiner or Chief Examiner by May 16, 1962; answers thereto shall be filed by May 21, 1962; and rulings on such motions will be made by the Examiner at the time such testimony or exhibits are offered in accordance with subparagraph (9).

(9) Upon the commencement of the hearing and after appearances, opening statements, and other preliminary matters, the exhibits previously filed, as provided above, will be marked for identification in the sequence directed by the Presiding Examiner; and thereafter the Examiner will require that the affidavits of the respective witnesses and their prepared testimony (together with the qualifications of the respective witnesses) previously filed, as provided above, be copied into the record as though read, excepting any part or parts of the prepared testimony with respect to which he may have granted motion to strike.

(10) The Presiding Examiner will specify the order of cross-examination for the information of the parties in making their respective witnesses available for cross-examination.

(C) Requests for extension of time concerning the time for any filings specified herein shall be made in writing, served on all parties and filed with the Presiding Examiner or the Chief Examiner (together with a certificate of service) at least ten days in advance of the dates specified herein (or as may have been extended), and any answers thereto shall be filed with the Presiding Examiner or Chief Examiner within three days after the request for extension.

(D) The Commission's rules of practice and procedure shall apply in this proceeding except to the extent that they are modified or supplemented herein or to the extent that they are further modified or supplemented by the Examiner with the consent of the parties.

By the Commission.

[SEAL] GORDON M. GRANT,  
Acting Secretary.

[F.R. Doc. 62-1182; Filed, Feb. 5, 1962;  
8:45 a.m.]

## **GENERAL SERVICES ADMINIS- TRATION**

### **Utilization and Disposal Service**

[Wildlife Order 62]

### **PADUCAH AREA, AEC**

#### **Transfer of Property**

Pursuant to section 2 of Public Law 537, 80th Congress, approved May 19, 1948 (16 U.S.C. 667c), a notice is hereby given that:

1. By deed from the United States of America, dated January 12, 1962, a portion of that property known as Paducah Area, AEC, situated in Paducah, McCracken County, Ky., and more particularly described in said deed, has been transferred from the United States to the State of Kentucky.

2. The above-described property was transferred to the State of Kentucky for

wildlife conservation purposes in accordance with the provisions of section 1 of the said Public Law 537 (16 U.S.C. 667b).

Dated: January 29, 1962.

WALTER C. MORELAND,  
Acting Commissioner,  
Utilization and Disposal Service.

[F.R. Doc. 62-1195; Filed, Feb. 5, 1962;  
8:46 a.m.]

## SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30-V-36]

MANAGER, DISASTER FIELD OFFICE,  
CRESTVIEW, FLORIDA

### Delegation Relating to Financial Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation No. 30 (Revision 6), as amended (25 F.R. 1706 and 7418, 26 F.R. 177 and 1456, 27 F.R. 372), there is hereby redelegated to the Manager of the Disaster Field Office at Crestview, Florida, the authority:

- A. *Financial assistance.* 1. To approve direct and participation disaster loans in an amount not to exceed \$20,000.
2. To disburse approved loans.
3. To execute disaster loan authorizations for Washington approved disaster loans and for disaster loans approved under delegated authority, said execution to read as follows:

JOHN E. HORNE,  
Administrator.

By \_\_\_\_\_  
Manager, Disaster Field Office.

4. To cancel, reinstate, modify and amend authorizations for disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undisbursed portions of disaster loans.

B. *Correspondence.* To sign all non-policy making correspondence relating to the disaster functions, except Congressional correspondence, and correspondence which includes a decision that an applicant is ineligible for disaster loan assistance.

II. The authority delegated herein may not be redelegated, with the exception of I. B.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Manager, Disaster Field Office.

Dated: January 15, 1962.

JAMES F. HOLLINGSWORTH,  
Regional Director,  
Atlanta Regional Office.

[F.R. Doc. 62-1184; Filed, Feb. 5, 1962;  
8:46 a.m.]

[Delegation of Authority No. 30-X-33]

MANAGER, DISASTER FIELD OFFICE,  
HOUSTON, TEXAS

### Rescission of Delegation

Notice is hereby given that this delegation (26 F.R. 10085) is rescinded in its entirety.

(Disaster Field Office reduction of personnel effective COB January 13, 1962.)

Effective date: January 13, 1962.

JAMES R. WOODALL,  
Deputy Regional Director,  
Dallas Regional Office.

[F.R. Doc. 62-1185; Filed, Feb. 5, 1962;  
8:46 a.m.]

## OFFICE OF EMERGENCY PLANNING

GERHARD D. BLEICKEN

### Appointee's Statement of Changes in Business Interests

The following statement lists the names and concerns required by subsection 710(b) (6) of the Defense Production Act of 1950, as amended.

Senior Vice President and Secretary, John Hancock Mutual Life Ins. Co., Boston 17, Mass.

Director, Robinson Technical Products, Inc., Teterboro, N.J.

Director, High Vacuum Equipment Corp., Hingham, Mass.

Trustee, B & M Real Estate Trust, Hingham, Mass.

This amends statement published July 20, 1961 (26 F.R. 6535).

Dated: JANUARY 9, 1962.

GERHARD D. BLEICKEN.

[F.R. Doc. 62-1130; Filed, Feb. 2, 1962;  
8:45 a.m.]

MINOR S. JAMESON, JR.

### Appointee's Statement of Changes in Business Interests

The following statement lists the names and concerns required by subsection 710(b) (6) of the Defense Production Act of 1950, as amended.

Savanna Creek Gas & Oil Limited.

This amends statement published July 28, 1961 (26 F.R. 6792).

Dated: JANUARY 12, 1962.

MINOR S. JAMESON, JR.

[F.R. Doc. 62-1131; Filed, Feb. 2, 1962;  
8:45 a.m.]

RICHARD O. LANG

### Appointee's Statement of Changes in Business Interests

The following statement lists the names and concerns required by subsection 710(b) (6) of the Defense Production Act of 1950, as amended.

S. C. Johnson & Son, Inc.

ITEK, Inc.

The Chemical Fund.

Riddle Airlines, Inc.

Gimbel Brothers, Inc.

Trans-Coast Investment Co.

This amends statement published July 28, 1961 (25 F.R. 6792).

Dated: December 27, 1961.

RICHARD O. LANG.

[F.R. Doc. 62-1132; Filed, Feb. 2, 1962;  
8:45 a.m.]

JOSEPH D. KEENAN

### Appointee's Statement of Changes in Business Interests

The following statement lists the names and concerns required by subsection 710(b) (6) of the Defense Production Act of 1950, as amended.

No purchases.

Disposed of New York Airways.

This amends statement published September 30, 1961 (26 F.R. 9249).

Dated: February 1, 1962.

JOSEPH D. KEENAN.

[F.R. Doc. 62-1133; Filed, Feb. 2, 1962;  
8:45 a.m.]

OTTO L. NELSON, JR.

### Appointee's Statement of Changes in Business Interests

The following statement lists the names and concerns required by subsection 710(b) (6) of the Defense Production Act of 1950, as amended.

Additions—Revenue Bonds:

Richmond-Petersburg Turnpike Authority.

Massachusetts Turnpike.

Deletions—Revenue Bonds:

Erie County Water Authority.

Chesapeake Bay Ferry District.

City of Chicago, Ill.

City of Mobile, Ala.

This amends statement published July 20, 1961 (26 F.R. 6535).

Dated: January 10, 1962.

OTTO L. NELSON, Jr.

[F.R. Doc. 62-1134; Filed, Feb. 2, 1962;  
8:45 a.m.]

## INTERSTATE COMMERCE COMMISSION

### FOURTH SECTION APPLICATIONS FOR RELIEF

FEBRUARY 1, 1962.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

#### LONG-AND-SHORT HAUL

FSA No. 37535: *Iron and steel articles to the South.* Filed by Traffic Executive Association—Eastern Railroads, Agent (E.R. No. 2602), for interested rail carriers. Rates on iron and steel articles, as described in the application, in carloads, from points in official (including Illinois) territory, to points in southern territory, also official (including Illinois)—southern territory border points. Grounds for relief: Market competition.

#### AGGREGATE-OF-INTERMEDIATES

FSA No. 37536: *Iron and steel articles from official territory to official-southern territory border points.* Filed by Traffic Executive Association—Eastern Rail-

roads, Agent (E.R. No. 2603), for interested rail carriers. Rates on iron and steel articles, as described in the application, in carloads, from points in official (including Illinois) territory, to official (including Illinois)—southern territory border points.

Grounds for relief: Maintenance of depressed rates established to meet market competition without use of such rates as factors in constructing combination rates.

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 62-1194; Filed, Feb. 5, 1962;  
8:46 a.m.]

#### FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 31, 1962.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days

from the date of publication of this notice in the FEDERAL REGISTER.

#### LONG-AND-SHORT HAUL

FSA No. 37532: *Joint motor-rail rates between points in the United States.* Filed by Midwest Motor Freight Bureau, Agent (No. 325), for interested carriers. Rates on commodities moving on class and commodity rates, loaded in highway trailers of the motor carriers over the highways, thence transported on railroad flat cars of the railroads, between points in middlewest territory (including Alaska and Canada); between points in middlewest territory (including Alaska and Canada), on the one hand, and points in central states and southwestern territories, on the other; and between points in southwestern territory, on the one hand, and points in central states territory, on the other. Grounds for relief: Motor-truck competition.

FSA No. 37533: *Cement from Painesville, Ohio.* Filed by Traffic Executive Association-Eastern Railroads, Agent (E.R. No. 2601), for interested rail car-

riers. Rates on cement and related articles, in carloads, from Painesville, Ohio, to points in North Carolina and South Carolina.

Grounds for relief: Market competition.

Tariff: Supplement 50 to Traffic Executive Association-Eastern Railroads tariff I.C.C. 4688 (Hinsch series).

FSA No. 37534: *Wrought iron pipe from Anniston, Ala.* Filed by O. W. South, Jr., Agent (No. A4150), for interested rail carriers. Rates on wrought iron or steel oil country tubular goods and line pipe, as described in the application, in carloads, from Anniston, Ala., to Houston, Almeda and Pierce, Jct., Tex.

Grounds for relief: Rail-barge and market competition.

Tariff: Supplement 264 to Southwestern Freight Bureau tariff I.C.C. 4116.

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc 62-1158; Filed, Feb. 2, 1962;  
8:47 a.m.]

## CUMULATIVE CODIFICATION GUIDE—FEBRUARY

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